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C O N F I D E N T I A L STATE 033674

SIPDIS

E.O. 12958: DECL: 03/24/2018
TAGS: MNUC KNNP IR UNSC

SUBJECT: IRAN: IMPLEMENTING THE TRAVEL BAN AND TRAVEL VIGILANCE REQUIREMENTS CONTAINED IN UNSCRS 1737, 1747, AND 1803

REF: (A)STATE 231829 (2006), (B)STATE 37801 (2007),
(C)STATE 21770, (D)STATE 29096, (E)STATE 29098, (F)STATE 29464

CLASSIFIED BY: ISN -- PATRICIA A. MCNERNEY, REASONS
1.4(B) AND (D)

¶1. (U) This is an action request. See paragraph 3 for action.

¶2. (SBU) OBJECTIVE: To encourage countries to prohibit the travel of designated Iranian proliferators as authorized by UNSCRs 1737, 1747, and 1803 and solicit information on domestic procedures in place to ensure that designated individuals or those subject to "vigilance and restraint" are appropriately vetted/denied entry or transit when attempting to travel internationally.

¶3. (SBU) ACTION REQUEST: Posts are requested to meet with host government interlocutors to highlight the recently adopted travel-related provisions in UNSCR 1803 (March 3, 2008) and remind officials of their travel-related obligations under UNSCRs 1737 and 1747. Posts should strongly encourage swift and full implementation of these provisions. Drawing from the background provided in paragraphs 6 and 7, posts should explain U.S. implementation efforts and highlight the U.S. commitment to implement a de facto travel ban on all designated individuals. Posts should seek details about the status of internal host regulations/implementation and, provided the country in question is not subject to the "Visas Mantis" Security Advisory Opinion (SAO) process (Cuba, Syria, Sudan, China, Taiwan, India, Pakistan, Ukraine, Russia, Belarus, Egypt, Israel, Iraq, Libya, and Venezuela), offer U.S. assistance if questions arise on the implementation of the travel-related provisions in UNSCRs 1737, 1747, and 1803.

¶4. (SBU) BACKGROUND: On 23 December 2006, the UN Security Council (UNSC) adopted Resolution 1737, imposing Chapter VII sanctions on Iran in response to its failure to suspend its uranium enrichment-related and reprocessing activities, including research and development, and to take the steps required by the IAEA Board of Governors. Due to Iran's continued failure to comply with the Council's demands, the Council adopted two additional resolutions imposing Chapter VII sanctions on Iran - UNSCRs 1747 (March 2007) and 1803 (March 2008). Texts of the UNSCRs and their annexes may be found in REFTELS or the UN Security Council's webpage at <http://www.un.org/Docs/sc>.

¶5. (U) BACKGROUND CONT: All three resolutions contain provisions regarding the travel of designated Iranian individuals. UNSCR 1737 calls for states to exercise vigilance in permitting 19 designated individuals. UNSCR 1747 strengthened this provision by establishing a call for "restraint" in addition to "vigilance" and

designated an additional 15 individuals. UNSCR 1803 calls for vigilance and restraint for an additional 13 individuals, but in operative paragraph 5 goes further by imposing an outright travel ban on 5 individuals designated in a separate annex to the resolution (Annex II). Overall, through the adoption of UNSCRs 1737, 1747, and 1803, the Council has called for states to "exercise vigilance and restraint" in permitting travel for a total of 35 designated individuals and bans international travel for 5 designated individuals. The Council also requires that, should a state permit an individual subject to "vigilance and restraint" to enter into or transit through its territory, the state must notify the UNSC Iran Sanctions Committee.

¶6. (C) BACKGROUND CONT: The Council selected the designated individuals on the basis of their involvement with activities of serious proliferation concern. In some cases, these individuals are responsible for aspects of Iran's nuclear program that the UNSC has required Iran to suspend. In other cases, the individuals in question have assisted with Iranian efforts to evade international sanctions to acquire proliferation-sensitive technology in furtherance of Iran's nuclear and missile programs. Continued international travel by these individuals risks contributing to Iran's proliferation behavior. Generally, permitting designated individuals to continue to travel risks undermining the intent of the UNSC sanctions aimed to isolate and increase pressure on the Iranian regime to comply with its obligations. Consequently, the United States wishes to urge all states to implement the call for "vigilance and restraint" as a de facto travel ban on all individuals designated by the UNSC in UNSCRs 1737, 1747, and 1803.

¶7. (SBU) BACKGROUND CONT: With regard to implementation of these provisions, the U.S. Department of State employs special clearance procedures under the Immigration and Nationality Act (INA) by conducting security reviews of visa applicants who are considered to be national security risks. Individuals designated under UNSCRs 1737, 1747, and 1803 are considered to present such a risk. Consequently, any visa requests for travel to or through the United States by individuals designated in UNSCRs 1737, 1747 or 1803 for travel to or through the United States may likely be denied. The United States stands ready to answer questions from host government's relevant agencies and offices charged with implementing these requirements and, for those countries not subject to "Visas Mantis," with assisting them to meet their obligations.

¶8. (SBU) NOTE: Since there will be several cables from Washington in the coming weeks intended to ensure the robust implementation of UNSCR 1803 (e.g., REFs D-F), Washington defers to Posts as to whether these instructions should be delivered as a single package or separately.

¶9. (U) Posts are requested to report host government responses by 11 April 2008. Please slug replies to ISN. ISN/RA's Risa Mongiello will serve as POC and can be reached at 202-647-6599 or mongiellorn@state.sgov.gov.

¶10. (U) Minimize considered.
RICE

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End Cable Text